

JOINT RESOLUTION AND AGREEMENT OF THE TOWNSHIP OF LIVONIA AND THE CITY OF ZIMMERMAN ANNEXING PROPERTY WITHIN AN ORDERLY ANNEXATION AREA INTO THE CITY OF ZIMMERMAN AS IDENTIFIED IN JOINT ZIMMERMAN RESOLUTION NO. 99-05-06 AND LIVONIA TOWNSHIP RESOLUTION NO. 99-3

City of Zimmerman Resolution No. 2017-07-03

Township of Livonia Resolution No. 17-10

WHEREAS, the Township of Livonia ("Township") and the City of Zimmerman ("the City") have negotiated the boundaries of an Orderly Annexation Area ("the Area") and have entered into an Orderly Annexation Agreement ("the Agreement") identified in Joint Resolution of the City No. 99-05-06 and Township No. 99-3 ; and

WHEREAS, the Area and Agreement have been created to provide for orderly and planned development, to provide for city services to developing areas, to serve the interest of public health, safety and welfare, and to protect natural waterways and wetlands; and

WHEREAS, the term of the Agreement was extend to December 31, 2020 by a Joint Resolution as Township Resolution No. 07-01 and City Resolution 06-12-04 , **and no other terms of the Agreement were modified as specified in paragraph 15 of that Joint Resolution;** and

WHEREAS, Christopher T. Flor is a land owner within the Area, and has submitted a petition to the Township for annexation of property subject to the terms of the Agreement;

NOW, THEREFORE, it is hereby resolved and agreed by and between the parties:

1. The property petitioned for annexation is subject to the Agreement is described on Exhibit A ("the Property") attached hereto and shown on the map attached as Exhibit B.
2. The City and Township agree that no alteration of the stated boundaries as described in Exhibit A are appropriate, that all terms and conditions for annexation are provided for in this Joint Resolution, and that no consideration by the chief administrative law judge is necessary. Upon receipt of the Joint Resolution, the chief administrative law judge may review and comment, but shall within 30-days of receipt, order the annexation in accordance with the terms and conditions of this Joint Resolution.
3. The Property as described in Exhibit A hereto shall be immediately annexed into the City and zoned R-1 Single Family Residential.
4. Since the Property will be immediately annexed to the City upon adoption of this Joint Resolution and approval of the State, joint planning pursuant to M.S. 414.0325, Subd. 5, is not warranted. The City will, upon annexation, serve as the reviewing agency and local government unit for the purpose of any land use, subdivision, and environmental review of the proposed development and the proposed development will be subject to and comply with the comprehensive plan and official controls of the City.
5. The Township shall be reimbursed for lost tax revenue according to the following reimbursement formula:

- a. In the year of annexation, the Township shall receive all the City share of tax revenue from the property.
- b. In the first year after annexation, the Township shall receive an amount equal to 90% of the property taxes paid in the year the property was annexed.
- c. In the second year after annexation, the Township shall receive an amount equal to 70% of the property taxes paid in the year the property was annexed.
- d. In the third year after annexation, the Township shall receive an amount equal to 50% of the property taxes paid in the year the property was annexed.
- e. In the fourth year after annexation, the Township shall receive an amount equal to 30% of the property taxes paid in the year the property was annexed.
- f. In the fifth year after annexation, the Township shall receive an amount equal to 10% of the property taxes paid in the year the property was annexed.
- g. The City shall have the right to make one (1) payment to the Township, as reimbursement for property taxes lost from annexed property, equal to the amount due over the 5-year schedule listed in paragraphs a-f.
- h. The one (1) payment due the Township as listed in paragraph g. totals \$1,280.41, and is calculated as follows:

Reimbursement		
<u>Year</u>	<u>Rate</u>	<u>Township Tax</u>
2017	100%	\$ 365.83
2018	90%	\$ 329.25
2019	70%	\$ 256.08
2020	50%	\$ 182.92
2021	30%	\$ 109.75
2022	10%	\$ 36.58
Total		<u>\$ 1,280.41</u>

6. The parties may amend this joint resolution by mutual written consent at any time. In the event that there are errors, omissions or any other problems with the legal description, mapping, or tax reimbursement provided in the attached Exhibits the parties agree to make such corrections and file any additional documentation, including a new Exhibit making the corrections requested or required by the Office of Administrative Hearings, Boundary Adjustments as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution, without the necessity of re-adopting this Joint Resolution.

The following Board members of the Township
of Livonia voted in favor: _____

Hiller, Maloney, Doebler, Pool

The following Board members voted against or
abstained: _____

Whereupon the motion was declared duly
passed and executed.

LIVONIA TOWNSHIP


Chair, Town Board


Town Clerk

7-24-17
Date

The following Council members of the City of
Zimmerman voted in favor: Earenfight, Brisbin,
and Nathe

The following Council members voted against or
abstained: _____

Whereupon the motion was declared duly passed
and executed.

CITY OF ZIMMERMAN


Mayor


Clerk/Treasurer

7/12/17
Date

EXHIBIT A

PROPERTY PETITIONED FOR ANNEXATION

The Southeast Quarter of the Southeast Quarter of Section 7, Township 34, Range 26, Sherburne County, Minnesota, EXCEPT the South 352.00 feet of the West 310.00 feet thereof; and EXCEPT the North 200.00 feet of the East 544.50 feet thereof, and EXCEPT Outlot A, THE PARK AT WOODLAND MEADOWS NORTH, said Sherburne County; and EXCEPT That part of the right-of-way of 136th Street Northwest located within the Southeast Quarter of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 7, Township 34, Range 26, Sherburne County, Minnesota, lying easterly of a line 33.00 feet westerly of and parallel with the centerline of said 136th Street Northwest, and lying southerly of the northerly right-of-way line, and its westerly extension, of Oakwood Road, as delineated and dedicated in PLEASANT HILLS, according to the recorded plat thereof, said Sherburne County. The easterly and westerly lines shall be prolonged or shortened to terminate on the south line of said Southeast Quarter of the Southeast Quarter.

EXHIBIT B
PROPERTIES TO BE ANNEXED - MAP



